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65-205
PATENT APPLICATION
Docket No.: MCE96-01
0300
#3



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: William G. Thorburn, Donald K. Mitchell
and Bruce A. Horwitz

Serial No.: 08/803,420

Filed: February 20, 1997

For: DIFFUSE SURFACE INTERFERENCE POSITION SENSOR

06/09/1997 SHOPPER 00000121 08803420
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| CERTIFICATE OF MAILING | |
|---|-------------------------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231 | |
| on <u>5-19-97</u> | <u>Claire J. Handal</u> |
| Date | Signature |
| <u>CLAIRE J. HANDALIAN</u> | |
| Typed or printed name of person signing certificate | |

TRANSMITTAL OF DECLARATION/POWER OF ATTORNEY

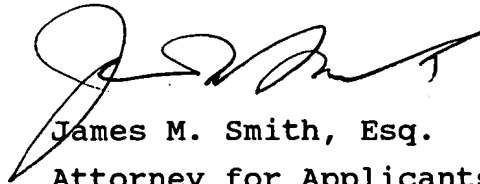
Box Missing Part
Assistant Commissioner for Patents
Washington, DC 20231

Sir:

In response to the Notice to File Missing Parts dated May 9, 1997, enclosed herewith is an executed Declaration/Power of Attorney for filing in the captioned application. A copy of the Notice is attached together with a check in the amount of \$65.00 in payment of the surcharge.

Please charge Applicant's Attorney's Deposit Account No. 08-0380 for any additional fees that may be due in this matter. Two duplicate copies are enclosed for that purpose.

Respectfully submitted,



James M. Smith, Esq.

Attorney for Applicants

Registration No. 28,043

Telephone: (617) 861-6240

Lexington, Massachusetts 02173

Date: 5/14/97

DOCKET NO. MCE96-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#3

Declaration for Patent Application

As a named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name;

I believe I am the original, first and sole inventor (if only one name is listed) or an original, first and joint inventor (if plural names are listed in the signatory page(s) commencing at page 3 hereof) of the subject matter which is claimed and for which a patent is sought on the invention entitled

DIFFUSE SURFACE INTERFERENCE POSITION SENSOR

the specification of which (check one)

☐ is attached hereto.

☒ was filed on February 20, 1997 as United States Application Number or PCT International Application Serial No. 08/803,420 and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is known by me to be material to patentability as defined in 37 C.F.R. §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)Priority
Not
Claim

| | | | |
|-------------------|--------------------|---------------------------------|-----|
| _____ (Number) | _____ (Country) | _____ (Day/Month/Year filed) | [] |
| _____ (Number) | _____ (Country) | _____ (Day/Month/Year filed) | [] |
| _____ (Number) | _____ (Country) | _____ (Day/Month/Year filed) | [] |

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

(Application Number)_____
(Filing Date)_____
(Application Number)_____
(Filing Date)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information known by me to be material to patentability as defined in 37 C.F.R. §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| (Application Serial No.) | (Filing date) | (Status, patented, pending, abandoned) |
|--------------------------|---------------|--|
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| (Application Serial No.) | (Filing date) | (Status, patented, pending, abandoned) |
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| (Application Serial No.) | (Filing date) | (Status, patented, pending, abandoned) |
|--------------------------|---------------|--|
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| (Application Serial No.) | (Filing date) | (Status, patented, pending, abandoned) |
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|--------------------------|---------------|--|

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

I also hereby grant additional Powers of Attorney to the following attorney(s) and/or agent(s) to file and prosecute an international application under the Patent Cooperation Treaty based upon the above-identified application, including a power to meet all designated office requirements for designated states:

| | | | |
|-------------------|------------------------|------------------|------------------------|
| David E. Brook | Reg. No. <u>22,592</u> | Thomas O. Hoover | Reg. No. <u>32,470</u> |
| James M. Smith | Reg. No. <u>28,043</u> | Alice O. Carroll | Reg. No. <u>33,542</u> |
| Leo R. Reynolds | Reg. No. <u>20,884</u> | N. Scott Pierce | Reg. No. <u>34,900</u> |
| Patricia Granahan | Reg. No. <u>32,227</u> | Richard A. Wise | Reg. No. <u>18,041</u> |
| Mary Lou Wakimura | Reg. No. <u>31,804</u> | | |

all of Hamilton, Brook, Smith and Reynolds, P.C., Two Militia Drive, Lexington, Massachusetts 02173;

and

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Signature William G. Thorburn

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